S.B. Civil Writ Petition NO.2893/2003
Narsingh Ram
vs
The State of Rajasthan & Anr.

DATE OF ORDER : - 13.4.2005

HON'BLE MR. PRAKASH TATIA,J.

Mr.Hemant Shrimali, for the petitioner.
Mr.Sangeet Lodha, for the respondents.

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Heard learned counsel for the parties.

It appears from the facts of the case that a notice was issued to the petitioner as back as on 17th Nov., 2000 (Annex.2) directing him to make payment of principal amount of Rs.11325/- and interest of Rs.5060/-, but the petitioner preferred the writ petition to challenge the said notice and submitted that the petitioner already paid Rs.38,546/- on various dates and the petitioner also deposited Rs.15,000/- in pursuance of the court's order dated 25th June, 2003. According to petitioner, the respondent-bank has not given complete statement of account to the petitioner and since petitioner could not run his business properly, therefore, could not pay the due installments on due date.

The stay order passed by this Court dated 25th June, 2003 is in

force and it appears that no reply has been filed by the respondents even in two years. Therefore, it will be just and proper to direct the respondent-bank to consider the case of the petitioner sympathetically and in case, the petitioner is found entitle for any benefit under any scheme for any relief, same may be given to the petitioner, but strictly in accordance with rules and schemes and not otherwise. The petitioner be given a statement of account within a period of four weeks from today and the bank may itself take a decision of any relief to the petitioner, if available for petitioner under the rules and may convey to the petitioner.

In view of the above, the writ petition of the petitioner is disposed of with above directions.

(Prakash Tatia), J.

c.p.goyal/-